

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JONATHAN VILLAREAL, §
individually and derivatively on behalf §
of ZROBLACK, LLC, §
Plaintiff, §

v §

JOHN SAENZ; §
MIGUEL VILLAREAL, JR.; and §
GUNN, LEE & CAVE, P.C., §
Defendants §

CIVIL ACTION NO.:
5:20-CV-00571-OLG

JURY TRIAL DEMANDED

PLAINTIFF'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME
TO FILE HIS RESPONSE TO DEFENDANT JOHN SAENZ'S MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff Jonathan Villareal, individually and derivatively on behalf of ZroBlack, LLC, ("Plaintiff"), by and through his undersigned counsel, and files this *Plaintiff's Unopposed Motion for an Extension of Time to File his Response to Defendant John Saenz's Motion to Dismiss* seeking an extension of seven (7) days, until July 14, 2020. This motion is unopposed. Plaintiff would respectfully show the Court as follows:

1. On June 23, 2020 Defendant John Saenz filed his Motion to Dismiss. Pursuant to Rule CV-7(e)(2) of the Local Rules for the U.S. District Courts of the Western District of Texas, a response to a dispositive motion shall be filed not later than 14 days after the filing of the motion. Thus, Plaintiff's response is due to be filed on July, 7, 2020. Plaintiff seeks to extend that deadline 7 days to July 14, 2020.

2. The undersigned has good cause for the requested extension of time. During the 14 days following Defendant filing his Motion to Dismiss, Texas generally and municipalities within the Western District specifically, including San Antonio, have seen record numbers of COVID-19 infections. In response, State and local government officials have reintroduced stricter orders and advisories to curtail the spread of COVID-19. This has severely limited our ability to coordinate with our trial team and support staff and working remotely has delayed our efforts. Also, the weekend preceding the current deadline was the Fourth of July Holiday.

3. This is the first request for extension of time for Plaintiff to file his Response to Defendant John Saenz's Motion to Dismiss.

4. For the foregoing reasons, Plaintiff respectfully requests that this Court grant *Plaintiff's Unopposed Motion for an Extension of Time to File his Response to Defendant John Saenz's Motion to Dismiss*, granting a 7-day extension until July 14, 2020, to file his Response.

5. Counsel for Plaintiff has conferred with Defendant's counsel, regarding the subject matter of this motion. Defendant's counsel has advised that Defendant is **UNOPPOSED** to the motion.

6. This Motion is not made for delay, but so that justice may be done.

PRAYER FOR RELIEF

7. For the reasons set forth above, Plaintiff requests that this Court grant *Plaintiff's Unopposed Motion for an Extension of Time to File his Response to Defendant John Saenz's Motion to Dismiss*.

John Saenz's Motion to Dismiss and extend the deadline for filing his Response, up to July 14, 2020.

Respectfully submitted,

THE VETHAN LAW FIRM, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed with the Court on the 7th day of July 2020, and electronically served on the date reflected in the ECF system upon all parties registered to receive notice pursuant to the Court's CM/ECF system.

/s/ Charles M.R. Vethan
Charles M.R. Vethan